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FURTHER REPORT OF THE SECRETARY-GENERAL PURSUANT TO SECURITY COUNCIL RESOLUTION 743 (1992)

INTRODUCTION

1. The present report is submitted to the Security Council pursuant to resolution 743 (1992) of 21 February 1992 and all subsequent resolutions dealing with the United Nations Protection Force (UNPROFOR). Its purpose is to provide the Council with updated information on the progress made by UNPROFOR in the implementation of the mandate entrusted to it, mainly in Croatia, under the United Nations peace-keeping plan (S/23280, annex III) and by subsequent resolutions of the Council relating to the Force's activities in both Croatia and Bosnia and Herzegovina. The report brings to the Council's attention developments since the submission of a previous report on these matters on 28 September 1992 (S/24600). It contains information available to the Secretariat up to 0900 hours New York time on 20 November 1992.

I. DEPLOYMENT OF UNPROFOR

2. Since my report of 28 September 1992, UNPROFOR has deployed further personnel in order to implement additional mandates conferred by the Security Council, as follows:

(a) Into Bosnia and Herzegovina, in accordance with resolution 776 (1992), to provide protective support for the delivery of humanitarian assistance in that republic, as set out in my report to the Council of 10 September 1992 (S/24540);

(b) Into the Prevlaka area of Croatia, in accordance with resolution 779 (1992), to perform monitoring functions in that area as set out in my report to the Council of 28 September 1992;

(c) Into Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) (FRY), to perform functions at airfields in accordance with resolution 781 (1992) as outlined in my report to the Council of 5 November 1992 (S/24767) and endorsed in Security Council resolution 786 (1992);

(d) To the Peruca dam, situated in one of the "pink zones" in Croatia adjacent to Sector South of the United Nations Protected Areas (UNPAs), to perform functions there in accordance with my report of 28 September 1992 as approved by the Council in resolution 779 (1992).

3. On 30 September, I announced the appointment of Mr. Cedric Thornberry as Deputy Chief of Mission of UNPROFOR. He will continue to serve as the mission's Director of Civil Affairs while also being deputy to the Force Commander, Lt.-Gen. Satish Nambiar (India). I further announced that Major-General Philippe Morillon (France), who had been Deputy Force Commander of UNPROFOR since its inception, would take command of the expanded UNPROFOR operation in Bosnia and Herzegovina under the overall command of General Nambiar, and that Major-General Robert Gaudreau (Canada) would replace General Morillon as Deputy Force Commander of UNPROFOR. These appointments came into effect on 15 October 1992.

4. The deployment of the Bosnia and Herzegovina Command (BHC) of UNPROFOR has proceeded throughout much of the reporting period, as described in detail in paragraphs 30 to 35 below.

5. Eleven United Nations Military Observers (UNMOs), together with European Community Monitoring Mission (ECMM) personnel, are deployed in the Dubrovnik-Prevlaka area.

6. A further 34 UNMOs have been deployed at airfields in Bosnia and Herzegovina, Croatia and the FRY, in implementation of resolution 786 (1992), as reported to the Council in my letter of 13 November 1992 (S/24810) and they will shortly be replaced by 75 newly deployed UNMOs. This deployment was authorized in spite of difficulties over the financial arrangements. I took the view that the monitoring of the ban on military flights in the airspace of Bosnia and Herzegovina was an activity arising from the London session of the International Conference on the Former Yugoslavia (ICFY) and, as such, should be financed by the States contributing the military personnel required. Regrettably, the other Co-Chairman of the Conference did not share this view and I therefore decided to include the cost of these activities in the budget for UNPROFOR which is currently being submitted to the General Assembly.

7. Some elements (amounting to approximately one company) of the Kenyan battalion are currently deployed at the Peruca dam and its immediate vicinity. The Force Commander has appointed Sector South's Sector Engineer to be interim manager of the dam and the coordinator of UNPROFOR control over it.

8. As a result of difficulties in obtaining the consent of the local Serb authorities, border control personnel have not yet been deployed to carry out immigration and customs functions on international borders which coincide with those of the UNPAs (see paras. 21 and 22 below).

9. Upon completion of the deployment of the above elements UNPROFOR will comprise over 22,000 personnel and will thus be the largest peace-keeping operation so far undertaken by the United Nations.

II. OPERATIONAL MATTERS: CROATIA

A. Violations of the cease-fire

10. Cease-fire violations with small arms and heavy machine-guns continue to occur in all the sectors, on the UNPA boundaries and in the "pink zones". These violations are increasing in frequency, particularly in Sector East and in the "pink zones" adjacent to Sector South. This has led to increased tension in these areas.

B. Demilitarization

11. As I reported on 28 September (S/24600), the first phases of demilitarization proceeded well, when the Yugoslav People's Army (JNA) withdrew from the UNPAs and the Territorial Defence Forces (TDF) were largely demobilized. But complete demilitarization of the UNPAs in accordance with the plan has been obstructed by the so-called "Government of the Republic of Serbian Krajina" (hereinafter referred to as the "Knin authorities"). These authorities have replaced the JNA and the TDF with Serb militia forces under various guises, comprising former JNA and TDF soldiers as well as irregular elements. They may total 16,000 personnel or more and are equipped with armoured personnel carriers, mortars, machine-guns and other arms prohibited under the peace-keeping plan. They are sometimes claimed by the Knin authorities to be police, but UNPROFOR does not accept this; they are not trained or equipped as police, nor do they perform police functions. Instead, they are often deployed along the borders of the UNPAs and the edges of the "pink zones", serving as a paramilitary force in blatant violation of the plan. The Knin authorities continue to assert that these elements are needed to defend Serb-controlled areas from attack and infiltration by the Croatian Army (CA). As has been the case for several months, the CA has, in turn, maintained, or even re-established, some of its forces on the confrontation line. As a result, clashes, cease-fire violations and armed provocations continue to take place all along the line, raising tensions and provoking further militancy on both sides.

12. Despite many interventions at the highest level in Belgrade and/or with the various local authorities by the Co-Chairmen of the Steering Committee of the ICFY, Mr. Vance and Lord Owen, by Under-Secretary-General Goulding, by the Force Commander and by senior UNPROFOR personnel, no progress has been achieved towards the demobilization of these elements. Promises have been given by Presidents Cosic and Milosevic, and by Prime Minister Panic, to use all their influence and authority to secure this demilitarization. But at the same time they have said that they exert no effective control over the Serb local authorities in the UNPAs. For their part, my representatives have insisted that the Security Council continue to hold the Belgrade authorities responsible for the implementation of the peace-keeping plan, to which they had earlier agreed. It seems evident that the Belgrade authorities could, if they so chose, take measures which would have a strongly persuasive effect upon the Serb local authorities, especially in view of the considerable economic dependence of much of the UNPAs upon the FRY.

13. Undertakings have also been given by the local authorities themselves; but these, too, have not been fulfilled. Indeed, there is some evidence that their "special milicijas" have actually been strengthened in recent weeks. In Sector East, for example, UNPROFOR estimates that armed elements now number at least 5,000. It is not entirely clear whether they are principally answerable to the authorities in Vukovar, in Knin or in Belgrade. In a letter addressed to General Nambiar and Mr. Thornberry on 10 November, Mr. Zdravko Zecevic, the so-called "President of the State Commission for Cooperation with UNPROFOR" of the Knin authorities, stated that the role of UNPROFOR military personnel is to ensure that the UNPAs remain demilitarized and that all the inhabitants in these areas be protected from the threat of armed attacks, and that, from their standpoint, this is the essence of the Vance plan. However, in view of Croatian cease-fire violations, the reasons for "a slower implementation of demilitarization are more than evident". To insist on demilitarization in such circumstances, as UNPROFOR was doing, would be to take away from the Serb people of the area their basic right to self-defence. Mr. Zecevic added that, unless UNPROFOR were to undertake all necessary measures to guarantee the protection of the Serbs and take more decisive attitudes in respect of Croatian cease-fire violations, it would be extremely difficult to continue the demilitarization process.

14. For its part, the Croatian Government, noting that UNPROFOR has neither the mandate nor the resources to resolve this situation by coercive means, has indicated its dissatisfaction and its desire to have the mandate reviewed. Members of the Croatian Government have also, from time to time, publicly asserted that they will re-establish Croatian control over the areas by unilateral means. Such statements invariably have very destabilizing effects within the UNPAs. In a letter of 11 November 1992 responding to a letter from the Force Commander seeking his cooperation in preventing violations of the plan, the Prime Minister and Minister of Defence of the FRY, Mr. Milan Panic, referred to "frequent violations of the agreement by the forces of the Republic of Croatia, and especially their threats that they will ensure, by means of force, the return of refugees of Croatian nationality to Sector East prior to the achievement of the final political solution". He urged UNPROFOR to exert influence on the Croatian authorities "to observe the agreements reached". UNPROFOR is thus faced with the apparent inability of the Federal Government in Belgrade to help, with obstruction by the Serb local authorities in the UNPAs, with strong statements and actions by the Croatian side, and with stepped-up counter-measures (including mobilizations) by the local authorities. It is thus continually thwarted in its efforts to fulfil the plan, whose viability will remain in doubt unless the various local authorities extend the necessary cooperation to it.

C. Acts of terrorism

15. Sector West, which is partly under Croatian and partly under Serb control, is the only sector where full demilitarization has taken place. It continues to be relatively calm, though acts of ethnically motivated terrorism continue there. In the other three sectors, however, daily police reports

describe murders, the burning and demolition of houses, the destruction of churches, the killing of cattle and other domestic animals, armed robberies and assaults, all of which crimes are usually aimed at members of national minorities. Because, in some areas, few minority members other than the very old have remained, an especially distressing feature is the number of armed attacks on the homes and property of very old women. They are often committed by groups of uniformed men, sometimes masked, carrying automatic weapons. In some parts of Sector South, United Nations civilian police (UNCIVPOL) reports that terror has become so prevalent that inhabitants are sleeping in woods or under trees, away from their homes. Perhaps the only positive development in recent weeks has been a decline in the number of murders, and, in Sector East, of other forms of grossly coercive conduct aimed at "ethnic cleansing". Most areas of UNPROFOR deployment are Serb-controlled and there the vast majority of these crimes are perpetrated against Croats. But acts of intimidation have also continued, though with somewhat diminishing frequency, against Serbs in the Croatian-controlled part of Sector West.

16. The local civil police in Serb-controlled areas of the UNPAs seem virtually powerless, and the system of law enforcement has substantially disintegrated. UNCIVPOL, of course, does not have law-enforcement powers, its basic role being limited to monitoring the activities of the local police. These include many thoroughly professional, fully trained police officers, who on several occasions have told UNCIVPOL of their frustration at the current situation. Indeed, some have pointed out that the "special milicija's" intimidation is aimed not only at the remaining Croats but also at themselves and at "moderate-minded" Serbs. Neither the military component of UNPROFOR, nor UNCIVPOL, with their slim resources, were established to restore law and order; nor were they given any such mandate. However, the trend amongst the local population has increasingly been to treat UNCIVPOL as the legitimate source of authority, and confidence in them has continued to grow in all sections of the community, despite their lack of executive authority.

D. Return of refugees and displaced persons

17. In three of the four sectors, no discernible return has begun, even though the voluntary return of refugees and displaced persons to their places of origin lies at the heart of the peace-keeping plan. This has been a source of great concern, not only to the individuals concerned, but also to UNPROFOR, which has been obliged on many occasions to state that conditions are not yet appropriate for such return to take place. The lead role in the envisaged process is conferred upon the Office of the United Nations High Commissier for Refugees (UNHCR), which has worked with UNPROFOR, the Croatian Government and the local authorities to facilitate such return. However, as indicated above, the security which is necessary for return does not exist in Sectors East, North and South. A quadripartite mechanism has been established under the auspices of the ICFY to facilitate the process of return but, as I stated in my report of 28 September (S/24600), the first essential step towards general return is progress towards the disarming and demobilizing of the "special milicija".

18. This thesis is confirmed by UNPROFOR's efforts in Sector West, where the programme for displaced persons to visit their villages and former homes has accelerated with the cooperation of the two sets of local authorities. To date, nearly 2,000 people have been able to travel, under UNPROFOR protection, to their former homes in more than 50 villages, and a step-by-step rebuilding of confidence amongst present and former inhabitants is well under way. UNPROFOR has benefited from the cooperation of the United Nations Centre for Social Development and Humanitarian Affairs in Vienna, under a community development project financed by the United Nations Development Programme. In some areas, reconstruction of damaged homes can soon begin and, in this connection, the Austrian Government has generously offered to provide 500 units of temporary housing for individuals engaged in this difficult and delicate process. For the return process to continue, it is also necessary to rebuild infrastructure in these areas. Water, electricity and other services have been seriously damaged in the recent conflict and international assistance will be essential for their restoration.

19. Extremist elements on both sides are nevertheless still present in Sector West. The Croatian police have often played an intimidatory role which has been vigorously protested by UNPROFOR. Where, however, local authorities see it in their interest to cooperate with UNPROFOR, even on such a complex question as the return of displaced persons, and are supported by the central Government, a great deal can be achieved, with the extremist fringe being isolated and rendered relatively powerless. It should be added, however, that few people have yet effected a permanent return, even under these relatively benign conditions, and it is still too early to say authoritatively how successful the Sector West return programme will be. In this connection, on 14 November, after visits to the sector by General Radko Mladic, Commander of Serb forces in Bosnia and Herzegovina, and by Mr. Milan Martic, "Interior Minister" of the Knin authorities, the UNPROFOR Sector Commander was told by the Knin authorities of their intention to return the situation in Sector West to conditions resembling those elsewhere in the UNPAs. Of late the visitation programme has slowed because of expressed fears by inhabitants that it contributes to tension and violence.

20. Mention has been made, above, of the destructive role that can be played by extremists in the complex process of returning people to their villages and homes, quite soon after the end of a tragic conflict. Such extremists feed upon one another's excesses, as has been observed by UNPROFOR on several occasions since my last report on 28 September (S/24600). In each instance, the initiative has come from certain Croatian political leaders. Croatia, which is undergoing serious economic difficulties, has nevertheless absorbed several hundred thousand refugees and displaced persons. Understandably, these people want to return to their homes and leave the temporary facilities in which they have been living. Certain political leaders have sought to develop movements for return to the UNPAs within stated deadlines, and then to organize mass returns. UNPROFOR has emphasized at all levels that the basic conditions of security do not exist for such mass returns and that the highly publicized attempts made so far not only exacerbate tensions but, if persisted in, could lead to renewed tragedies. On one occasion, in the Osijek area on

30 September, the situation was made worse by public statements by a senior officer that the Croatian Army would support such returns and move up behind the marching people. These events caused great tension in Sector East, which was the displaced persons' stated destination, and, indeed, fear among the Serb population in the sector (for fear, on both sides, is still a factor in the UNPAs). This, in turn, provided both reason and pretext for further mobilization of the Serb "special milicijas", and renewed victimization of non-Serb people. Finally, the situation was defused by UNPROFOR and the Croatian Government; but these events were deeply counter-productive, leading to the unravelling of much patient work in which UNPROFOR had been engaged for several months.

E. Border control

21. In my report of 27 July 1992 (S/24353), I described the need which had arisen, since the Security Council's approval of the peace-keeping plan, for UNPROFOR to control international crossing points along the boundaries of the UNPAs. On 7 August 1992 the Council endorsed my proposal for meeting this need (resolution 769 (1992)). Since that time, I have instituted a full professional study of the means and modalities required to carry out this complex process, which will be without precedent in United Nations operations, and have received a detailed report on the subject. This confirms that the project is technically viable and can, indeed, be carried out with fewer civilian resources than I had originally been advised might be required. This would have to be offset, however, by an increase in military resources of over 350 personnel. However, the implementation of the recommended approach has not so far proved possible since the Knin authorities have themselves placed controls and checkpoints at all major crossing points, including international crossings. It would be impossible for UNPROFOR to conduct such functions in a satisfactory and visibly independent manner if its positions were co-located with those of the Knin authorities.

22. In order to proceed with the implementation of Security Council resolution 769 (1992), the Force Commander requested the Knin authorities to dismantle their installations and remove them to locations 500 metres from those of UNPROFOR. On 2 November 1992, at a meeting in Knin, the so-called "President" of the "Serb Republic of Krajina", Mr. Goran Hadzic, told UNPROFOR that, while he accepted its proposal regarding "95 per cent" of the locations, he could not accept it as regards five bridges. On 4 November 1992, however, the Knin authorities wrote to General Nambiar, retracting this position and stating that they would not accept the withdrawal of any of their control points. They also cited the rights emanating from their supposed "sovereignty". General Nambiar will continue to discuss this question with the Knin authorities with a view to its resolution at the earliest opportunity. Their cooperation, in accordance with paragraph 3 of resolution 769 (1992), is essential if UNPROFOR is to implement the Council's resolution, as the Force has neither the mandate nor the military resources to enforce it.

F. Peruca dam

23. I described, in my report of 28 September 1992 (S/24600), the disturbing situation at the Peruca dam, which was believed to have been prepared for demolition at some time in the recent past. UNPROFOR took control of the dam on 14 September 1992 and monitors its condition daily. Two further inspections have taken place, by civil engineering consultants and by military explosives experts provided by a Member State, and these have somewhat reduced the level of alarm. However, the Knin authorities told the military experts that substantial quantities of explosives were indeed present; that they had diagrams; and that they were willing to remove the charges. On 7 November 1992 UNPROFOR formally requested such assistance, to be conducted under its supervision, as soon as possible. The Knin authorities have, however, failed to deliver copies of the demolition diagrams. On the basis of all reports available to it, UNPROFOR remains concerned about the situation at the dam. "Serb milicija" units remain some distance away but in the general vicinity of the installation, which continues to be guarded by UNPROFOR troops.

G. Joint Commission

24. In my report of 28 September 1992, I also described the setting up and functioning of the Joint Commission which, in accordance with Security Council resolution 762 (1992), comprises the Croatian Government, the Knin authorities, the ECMM, and UNPROFOR, whose Deputy Chief of Mission chairs the meetings. The Commission held its eighth meeting on 9 November. Though two subcommissions which it has established, to deal with security and cease-fire matters, and economic and humanitarian matters, respectively, have met intermittently, and have, at the technical level, prepared the ground for further progress, the work of the Commission has been effectively stalled by a lack of political will to move forward. At the conclusion of the eighth meeting, it was decided to afford the parties some pause for reflection before convening any further meeting. No new meeting of the Joint Commission was therefore scheduled, although it was agreed that the subcommissions would continue their work and report thereon to the Chairman.

25. Although the Joint Commission has identified a number of important areas in which normalization of relations between the two communities can and should take place, there has been little or no progress towards the achievement of its basic objective, namely, that of overseeing and monitoring, in various fields, the restoration of the Croatian Government's authority in the "pink zones". Meanwhile, UNPROFOR's presence in the "pink zones" has helped to stabilize the situation there to some degree, although on the one side acts of terrorism continue, and, on the other, cease-fire violations and provocations are frequent. Resolution 762 (1992) marked a compromise between the two sides, and helped defuse a situation which, at the time, seriously jeopardized the cease-fire. Its implementation, however, remains incomplete, with the risk that a new crisis could soon occur.

F. The Prevlaka peninsula

26. On 23 and 24 September 1992, the Chief Military Observer of UNPROFOR held discussions with the local commanders of the Croatian and Yugoslav armies on the modalities of the withdrawal of the Yugoslav Army from the Municipality of Dubrovnik. The discussions were based on the concept of establishing a demilitarized zone on either side of the Croatian/Montenegro border and envisaged a 12-day withdrawal phase. An agreement was endorsed by the Croatian Commander; however, the Yugoslav Commander was not authorized to endorse it. Copies of the proposed agreement were passed to the Croatian and Yugoslav authorities on 26 September 1992 and UNPROFOR continued from that time to press the parties for approval of the implementing agreement.

27. The Yugoslav Army withdrawal appears to have commenced about 8 October 1992 in the absence of any formal agreement between the parties. It was not until 20 October 1992, the date agreed for the completion of the withdrawal by President Tudjman and President Cosic in Geneva on 30 September 1992, that the parties sought to formalize security arrangements to follow the withdrawal. Boundaries for the United Nations demilitarized zone under resolution 779 (1992) were agreed on the night of 20 October 1992 by Presidents Cosic and Tudjman, meeting under the co-chairmanship of Mr. Vance and Lord Owen.

28. The withdrawal of the Yugoslav Army was successfully conducted in a professional manner. Unfortunately, elements from the Serb forces in eastern Herzegovina appear to have occupied Croatian territory in the wake of the Yugoslav Army withdrawal. Hostilities broke out between these Serb elements and the Croatian Army on 21 October 1992 when the Croatian Army attempted to move forward after the Yugoslav withdrawal. Fighting continued until 24 October 1992 when the local Croatian Commander advised UNPROFOR representatives that Serb forces had been expelled from Croatian territory. The fighting during this period spilled over into Bosnia and Herzegovina where, it is claimed by the Serb authorities, Croatian forces have occupied some 39 Serb villages. The Croatian authorities have stated that the Forces fighting in Herzegovina are Bosnian Croat (HVO) Forces and not those of the CA. In a letter dated 13 November 1992, the Prime Minister of the FRY, Mr. Milan Panic, advised me of the "justified fear and bitterness of the local population, which is demanding from the highest authorities of the Federal Republic of Yugoslavia to post the Yugoslav Army units on their old positions in the interests of their security".

29. None the less, I advised the Council in my letter of 21 October 1992 (S/24710) that the Yugoslav Army had now completed its withdrawal from all Croatian territory in compliance with the plan approved by the Council, and UNPROFOR military observers were stationed on Prevlaka peninsula, where the United Nations flag was flying. Although a crucial element of the plan has thus been fulfilled, the events described in the preceding paragraph remain a cause for disquiet. In addition, the removal of a Croatian police checkpoint on the main access road inside the prohibited area and the cessation of Croatian mobile police patrols remain to be achieved.

III. OPERATIONAL MATTERS: BOSNIA AND HERZEGOVINA

A. Bosnia and Herzegovina Command

30. The Security Council, by its resolution 770 (1992) on 13 August 1992, called upon Member States to take nationally, or through regional agencies or arrangements, all measures necessary to facilitate, in coordination with UNPROFOR, the delivery by UNHCR and other humanitarian agencies of humanitarian assistance to Sarajevo and wherever needed in other parts of Bosnia and Herzegovina. Following the adoption of this resolution, I proposed a concept of operation in my report (S/24540) of 10 September 1992 whereby this function would be added to UNPROFOR's mandate and carried out by military personnel under the command of the Force Commander of UNPROFOR, operating in accordance with the established principles and practices of United Nations peace-keeping operations. The concept of operations was approved by resolution 776 (1992) on 14 September 1992, by which UNPROFOR was tasked under its enlarged mandate to support UNHCR's efforts to deliver humanitarian relief throughout Bosnia and Herzegovina and, in particular, to provide protection, at UNHCR's request, where and when UNHCR considered such protection necessary.

31. To carry out this task, it was decided to establish within UNPROFOR a new Bosnia and Herzegovina Command (BHC), at the two-star level. BHC would consist of Sector Sarajevo, which would continue to perform the tasks arising from the 5 June 1992 airport agreement, as authorized by resolutions 758 (1992) and 761 (1992), and four new zones, the precise locations of which would be determined after reconnaissance of the terrain and further consultation with UNHCR. In each zone would be an infantry battalion group, possessing a high degree of self-sufficiency, which would be responsible for providing troops for protective support to UNHCR-organized convoys within that zone. Additionally, the need was identified for certain logistic and other support elements as well as for 80 UNMOs and 80 civilian staff members. It was also agreed that all additional resources for this extension of UNPROFOR's mandate would be provided at no cost to the United Nations and that the contributing countries, or other Member States, would cover, on a voluntary basis, the additional administrative expenses which would be incurred by the United Nations.

32. On 19 September 1992, a Joint Planning Team for BHC assembled at Zagreb, where senior military officers from the troop-contributing countries met with UNPROFOR and UNHCR officials to work out a tentative deployment for the infantry battalions and support units. Major-General Philippe Morillon, then Deputy Force Commander of UNPROFOR, who was nominated as commander of BHC, also attended the meetings. Thereafter, on the basis of the plan drawn up, advance parties of all the units began reconnaissance and liaison within their respective areas.

33. As a result of the reconnaissance, Kiseljak, a town some 20 kilometres to the north-west of Sarajevo, which provides access to most of the humanitarian convoy routes, was selected as the location for the BH Command headquarters. Staff officers and personnel for this headquarters, who started arriving at

Belgrade on 6 October 1992, have moved to Kiseljak, where the headquarters is now established and fully functional. A tactical headquarters group has been set up under General Morillon at Sarajevo for close liaison with the Government of Bosnia and Herzegovina.

34. On 4 November 1992, the French battalion group completed its arrival in the area of Velika Kladusa in north-western Bosnia and assumed responsibility for the Velika Kladusa-Bihac area. The logistics base for this battalion is at Zagreb. The battalion has not so far been able to deploy into the Bosanski Petrovac area in accordance with its current plans, because of lack of agreement from the local authorities. The battalion group from Spain was initially slated for arrival by sea at Ploce and was to have deployed forward into Mostar in western Herzegovina. In spite of the Croatian Government's denial of suitable facilities and accommodation at Ploce, the battalion is attempting to deploy into the Mostar area. Company-sized elements are already located at Jablanica in eastern Herzegovina. The British battalion group which arrived at Split, its main logistics base, has started deploying forward into Vitez and Gornji Vakuf in central Bosnia and will provide protection for humanitarian convoys to towns there and around Tuzla in the east. Elements of the battalion are already involved in information-gathering about refugee movements in central Bosnia, after the fall of Jajce, and in providing convoy protection assistance to the extent possible. Additional support elements of the British contingent, in the form of engineer, logistics, workshop and medical units, will be based at Split, Tomislavgrad and Gornji Vakuf.

35. So far, however, advance elements of the Canadian battalion, which has arrived in Daruvar in Sector West, have not been able to carry out any reconnaissance in the Banja Luka area, as the Bosnian Serb authorities there have denied access to them. This battalion is therefore awaiting a positive outcome of the negotiations which are being conducted with the Bosnian Serb authorities so that they can deploy at an early date. The companies of the composite transport battalion from Belgium and the Netherlands have also arrived and two of them have been deployed near Vitez (Bosnia and Herzegovina) and Pancevo (FRY). The deployment of the third company, which is to be located at Banja Luka (Bosnia and Herzegovina), is awaiting the outcome of negotiations by the Canadian battalion. Prior to this, the company may be temporarily redeployed from its present staging area in Pleso (Croatia) into Metkovic. As a result of the problems mentioned, the deployment of BH Command is now likely to be behind schedule. Only the battalion groups of Spain and the United Kingdom are now able to execute convoy protection in most parts of their originally assigned areas. The battalion group of France is able to protect convoys, but in a restricted area, rather than the area originally assigned during the Joint Planning meetings.

36. Although progress has thus been made in deploying BHC and the formed units under its control, the deployment to BHC of military observers and civil affairs personnel has been delayed by budgetary problems. These personnel are an essential complement to the formed units. The civilians, in particular, have an important role in providing the BHC Commander and his military staff with administrative services and advice on political, legal, information and

administrative matters. This support is essential in order to help BHC headquarters ensure that the new Command's activities comply fully with the established principles and practices of United Nations peace-keeping, in accordance with the plan contained in my report of 10 September 1992 (S/24540), which was approved by the Security Council in resolution 776 (1992). The Member States which agreed to contribute military personnel, equipment and logistic support for BHC at no cost to the United Nations have been unwilling to accept that the common costs of BHC, which they have agreed to finance, should include the costs of the military observers and United Nations civilian personnel. As a result, it has not yet been possible to deploy adequate military observer and civilian support to BHC. In order to avoid further delay, I have decided to include provision for the necessary military observers and civilian personnel in the UNPROFOR budget which is currently being presented to the General Assembly. In the meantime, I have told General Nambiar that he should ensure that BHC is assisted with as much political, legal, information and administrative support as can be redeployed from the remainder of the mission, to the extent that this can be done without gravely dislocating the fulfilment of its tasks, and bearing in mind that UNPROFOR was already seriously short of civilian staff, even before this expansion of its mandate.

37. Throughout the reporting period, Sector Sarajevo has contrived to carry out its mandate of keeping open, and operating, Sarajevo airport and escorting convoys of relief supplies from the airport to the city. Convoys have also been escorted to more distant locations, especially Gorazde. A total of 1,619 humanitarian flights, carrying 19,669 metric tons of aid, have been flown into the airport. The sector also coordinated efforts to restore electricity, gas and water supplies in the city, with UNPROFOR personnel protecting civilian workers and completing many of the repairs themselves. UNPROFOR military observers continue to monitor the heavy weapons positions of the parties in the hills around Sarajevo. In addition, Sector Sarajevo has had to devote much effort to providing support to high-ranking delegations who have requested armed and armoured escort during visits to Sarajevo. As these requests can divert the sector's resources from its primary function of supporting UNHCR's efforts to deliver desperately needed humanitarian supplies, I have authorized the Force Commander to be somewhat restrictive in his response to them. I should like to take this opportunity to pay a tribute to the military, police and civilian personnel who have served with such courage and devotion to duty in Sarajevo, where UNPROFOR has suffered five soldiers killed by hostile action and 87 wounded.

38. On the basis of agreements reached with the three Bosnia and Herzegovina parties in Geneva, UNPROFOR has succeeded in setting up a Mixed Military Working Group (MMWG), which held its first meeting in Sarajevo on 23 October 1992. The MMWG is now chaired by the Chief of Staff of BHC and consists of representatives of the three parties (the Presidency of Bosnia and Herzegovina, Bosnian Croats and Bosnian Serbs). This is the first time that the parties have agreed to tripartite meetings in Sarajevo to address major issues of concern. The MMWG has held six meetings so far. Further meetings are to be held every three or four days. The subjects primarily addressed by

the MMWG so far have been (a) demilitarization of parts or all of Sarajevo, (b) opening of routes within and to Sarajevo, and (c) establishment of a cease-fire in specified areas or all of Bosnia and Herzegovina. At the sixth meeting on 10 November 1992, the three sides agreed to and signed a cease-fire for all of Bosnia and Herzegovina to be effective at midnight 11/12 November 1992.

39. Although the establishment of the MMWG was itself a step forward, the negotiations have been slow and arduous. All the parties have declared their resolve to achieve results which could lead to a cessation of hostilities and facilitate the provision of humanitarian aid throughout the conflict area, but this declared resolve has not yet been translated into concrete agreements. So far, the three sides have mostly used the MMWG to state their points of view on various issues or to lay down conditions which are unacceptable to the other two sides. The cease-fire agreement of 10 November 1992 was a positive development in the circumstances, but it has already been violated by all parties on a large number of occasions. It remains to be seen whether they are really willing and able to implement such an agreement on the ground.

40. The challenge facing UNPROFOR in Bosnia and Herzegovina should not be underestimated. The frequent autumn rains, which have led to flooding and mobility problems, are now being followed by periods of falling temperatures. Snow has fallen on Sarajevo and on many mountain regions. Roads, bridges and railways have been without normal maintenance for nearly a year. Many have suffered major damage from the fighting. The result, even before the arrival of winter, is that road surfaces are collapsing and unsafe. Snow and ice will render many routes impassable. The implications for humanitarian operations of all kinds are severe.

B. Ban on military flights

41. On 30 September 1992, President Tudjman and President Cosic, meeting under the co-chairmanship of Mr. Vance and Lord Owen, agreed in principle to the deployment of observers at airfields in their respective republics for the purpose of monitoring the airspace of Bosnia and Herzegovina. This was followed by the adoption of Security Council resolution 781 (1992) on 9 October 1992 and an offer by Dr. Karadzic, on 13 October 1992, to move military aircraft under his control from Banja Luka to the FRY. Attempts by UNPROFOR representatives to hold discussions on this movement with representatives of the Yugoslav and Bosnian Serb authorities were frustrated by an apparent lack of consensus within the Serb leadership on Dr. Karadzic's initiative. Finally, in discussions with Mr. Vance and Lord Owen on 28 October 1992, Dr. Karadzic withdrew his offer to fly out the aircraft. He advised instead that the aircraft would remain in their hangars at Banja Luka and would fly only as authorized by UNPROFOR. It was also agreed in principle that UNPROFOR observers would be allowed to monitor airfields under the control of the Serb authorities in Bosnia and Herzegovina. Negotiations were held in Belgrade on 29 October 1992 and an implementing agreement, on monitoring of the airfields under the control of the Yugoslav authorities was

signed on 2 November 1992. Discussions with the Croatian authorities on a similar agreement were successfully conducted on 27 and 31 October 1992 and signed on 1 November 1992. Agreements were signed on behalf of the Bosnia and Herzegovina Presidency and on behalf of the Bosnian Serb side in Geneva on 3 November 1992.

42. To ensure speedy implementation of the agreements, notwithstanding the financial problem described in paragraph 6 above, military observers were deployed from existing United Nations observer missions during the period 28 to 30 October 1992 to begin monitoring of airfields. They will be replaced on or about 10 December 1992 by 75 military observers provided directly by contributing countries following the adoption of Security Council resolution 786 (1992) which authorized UNPROFOR's expansion for this purpose. The combination of reporting by observers at airfields and by UNPROFOR forces on or adjacent to the territory of Bosnia and Herzegovina, together with the provision by the North Atlantic Treaty Organization, in accordance with paragraph 5 of resolution 781 (1992), of information obtained from technical monitoring of Bosnia and Herzegovina airspace, should permit the effective implementation of the monitoring aspects of Security Council resolution 781 (1992).

43. In my letters to the President of the Security Council of 6 November 1992 (S/24783), 13 November 1992 (S/24810) and 20 November 1992 (S/24840), I conveyed UNPROFOR's first reports, in accordance with resolution 781 (1992), on compliance with the resolution. The guidelines and procedures used by UNPROFOR in approving flights to Bosnia and Herzegovina were annexed to the letter of 13 November 1992. Subsequent daily reports have shown a number of apparent infringements of the ban by aircraft which appear to be seeking to avoid radar detection.

IV. OBSERVATIONS

44. The situation in the UNPAs and "pink zones" has not improved since my report of 28 September (S/24600), in which I described the mounting lack of cooperation with UNPROFOR's efforts to put into effect the peace-keeping plan approved by the Council. Although neither side has fully implemented its undertakings, and each has been guilty of irresponsible and provocative conduct, the root cause of UNPROFOR's inability to make further progress has been the Knin authorities' growing and increasingly outspoken defiance of the Security Council and UNPROFOR. The Knin authorities' refusal to accept demilitarization of the UNPAs and the return of refugees and displaced persons undermined two of the fundamental principles of the peace-keeping plan approved by the Council. Particularly distressing is their apparent intention to establish in Sector West, where UNPROFOR had been making some progress, the conditions of brutal lawlessness which, despite all UNPROFOR's efforts, exist in Sectors East, North and South.

45. Although the Croatian authorities have from time to time raised tension in the UNPA's and the "pink zones" by injudicious public statements and provocative military moves, it has to be stated clearly that responsibility for non-implementation of the peace-keeping plan approved by the Security Council rests squarely with the Knin authorities. It is they who have abused the law and order powers entrusted to the local authorities by the plan and, instead, created or perpetuated conditions of lawlessness and disorder. It is they who have exploited the presence of UNPROFOR and the resulting cessation of hostilities to assert their pretensions to sovereignty and statehood, instead of cooperating with UNPROFOR to create conditions in which a negotiated accommodation of their legitimate concerns could be achieved. It is they who have refused to withdraw their forces from the "pink zones" and have blocked full implementation of resolution 762 (1992) by pursuing the aim of consolidating the status quo in those areas rather than facilitating the orderly restoration of Croatian authority there.

46. The question thus arises of what further action can be taken to persuade the Knin authorities to honour the commitments arising from their previously declared acceptance of the peace-keeping plan (though some of their more recent statements have called the plan itself into question). It had appeared for a brief time that the improving climate of relations between Belgrade and Zagreb might make it possible to overcome the various obstacles in the way of effective implementation of the plan in the Sectors and the "pink zones". But this hope has not been fulfilled. Unless a way can quickly be found of obtaining the cooperation of the Knin authorities, the UNPROFOR operation in Croatia will confront the Security Council with the same dilemma as have other operations, notably the one in southern Lebanon, which have been prevented by the non-cooperation of one or more of the parties from fulfilling their original short-term mandate but have nevertheless succeeded in controlling the level of hostilities in their areas of deployment and alleviating the suffering of the civilian population. In such situations the Security Council has to make the difficult choice between withdrawing the operation, in the knowledge that this will be likely to lead to a resumption of fighting, or keeping it in place, in the knowledge that this may involve the Council in a large and expensive commitment for an indefinite period of time, without any certainty that the mandate of the operation will be fulfilled.

47. The situation in Bosnia and Herzegovina is also disquieting. A complicated and savage conflict continues to rage throughout the Republic, and large numbers of people remain vulnerable to starvation and displacement during an arduous winter whose rigours have only just begun. Security Council resolutions calling for the withdrawal of foreign forces from Bosnia and Herzegovina remain largely unimplemented. The Croatian Army is reliably reported to be engaged extensively in the Republic, particularly in Herzegovina and in the Orasje area. Serb forces in Bosnia and Herzegovina meanwhile continue to rely on logistical support from the FRY.

48. It must be noted, however, that UNPROFOR's mandate in Bosnia and Herzegovina is more practicable than in Croatia. Part of it is to monitor the ban on military flights. It is already established that this is feasible.

The first four weeks of the ban have produced no confirmed evidence of combat activity, though they have shown that many flights of military aircraft, mostly helicopters, are taking place from Serb-controlled airfields and that unapproved flights are regularly taking place, mostly at night, from Croatia into government-controlled areas of Bosnia and Herzegovina.

49. The bulk of UNPROFOR's activity in Bosnia and Herzegovina, however, is in support of efforts to relieve the suffering of the civilian population. Sector Sarajevo deserves great credit, as do the aircrew involved, for their dogged efforts to keep the Sarajevo airbridge open during the summer and autumn. Now, as winter sets in, the emphasis is shifting to land-delivered supplies. United Nations troops in Bosnia and Herzegovina are pioneering a new dimension of United Nations peace-keeping as they take on the task of protecting the delivery of humanitarian supplies. This does not, in my view, require a revision of the peace-keeping rules of engagement which, as I have reported previously, already entitle United Nations troops to use force if prevented by armed persons from carrying out their mandate. But in convoy protection duties, United Nations troops may have to move beyond the usual peace-keeping mode of impartiality between two parties to a conflict who have both agreed to the United Nations role. They themselves may become a party to a conflict with whoever tries to block, rob or destroy the convoy which they are protecting. I am watching carefully this aspect of the new operation in Bosnia and Herzegovina and will keep the Security Council fully informed.

50. The financial arrangements agreed for the expansion of UNPROFOR under resolution 776 (1992) are also innovative. The addition to UNPROFOR of contingents financed and supported entirely by their national Governments has given rise to some teething troubles, especially as regards command and control. I have had to seek the help of the contributing Governments in ensuring that all concerned recognize that the new units are an integral part of UNPROFOR, under the overall command of the Force Commander, and that newly arrived troops wearing United Nations insignia pass under United Nations command as soon as they reach the mission area. Their subsequent activities must comply with UNPROFOR policy, as laid down by the Force Commander, in all operational, legal, information and administrative matters. The lack of budgetary provision for United Nations civilian personnel, including administrators and military observers, as described in paragraph 36 above, has deprived BHC of experienced United Nations personnel to guide it in these matters during its initial deployment. It is for this reason that I have decided to recommend to the General Assembly that BHC's requirements for civilian staff and related support should be provided through assessed contributions levied on all Member States. The necessary staff will now be deployed as quickly as possible and I am confident that, with the cooperation of the contributing Governments, the teething troubles which I have described will be rapidly overcome.

51. I should like to conclude this report by paying a tribute to the Force Commander of UNPROFOR, Lieutenant-General Satish Nambiar (India), and to all the military, police and civilian personnel under his command, for the exemplary manner in which, under his leadership, they continue to carry out an

ever-expanding mandate in exceptionally difficult and dangerous circumstances. I also convey my gratitude to the Member States who have so willingly made personnel available for this unprecedentedly large operation and my condolences to those whose citizens have died or been wounded in the service of the United Nations.